## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

§ LIBERTY MUTUAL INSURANCE § COMPANY, § § Plaintiff, § § CIVIL ACTION NO. 3:09-CV-0867-B  $\mathbf{v}_{\scriptscriptstyle{\bullet}}$ HISAW & ASSOCIATES GENERAL § CONTRACTORS, INC., § § Defendant.

## **ORDER**

Before the Court is Plaintiff Liberty Mutual Insurance Company's Motion for Leave to Supplement the Summary Judgment Record (doc. 93). Having considered the Motion, the Court finds it should be and hereby is **DENIED** as untimely. The amended deadline for dispositive motions was August 20, 2010. Trial is currently set to begin on November 1, 2010. Due to the close proximity of trial and the prejudice that could result from Defendant's denial of an opportunity to respond to this evidence, the Court finds that supplementation is not proper. Accordingly, the Court **ORDERS** that the Motion is **DENIED**.

SO ORDERED.

DATED September 27, 2010

JANE/J. BOYLE/

UNITED STATES DISTRICT JUDGE